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PATENT
TH1006-05 (US)
YGT:SWT

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Y. Grace Tsang
Y. Grace Tsang
Date: 10/26/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
Joseph P. Salanitro et al.)	
Serial No. 10/828,754)	Group Art Unit: 1724
Filed April 21, 2004)	Examiner: Christopher Upton
IN SITU METHOD AND APPARATUS FOR BIODEGRADATION OF ALKYL ETHERS AND TERTIARY BUTYL ALCOHOL)	October 25, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:
Sir:

PETITION UNDER RULE 1.78(a)(3)

The Applicant hereby requests consideration of this Petition Under Rule 1.78(a)(3).

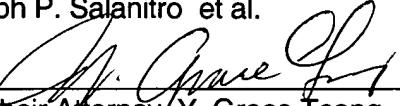
The undersigned recently became aware that the old practice of being able to insert a cross reference to a prior U.S. application by requesting such in the patent application transmittal form was changed by the new amendment practice effective July 30, 2003. It was at this time that the undersigned reviewed this patent application and found out that the amendment to include the required cross reference to the prior application serial number 10/303,632 had only been requested at the time of filing in the transmittal form. The undersigned states that this error to include a preliminary amendment along with the filing was unintentional and that the entire delay in submitting this amendment was unintentional. The Applicant requests that the amendment of the specification in the amendment filed concurrently herewith be accepted.

The Applicant requests that the fee for filing this petition and any fee/surcharge required for late filing of the amendment to include the cross reference to the prior application be charged to Shell Oil Company Deposit Account 19-1800.

Respectfully submitted,

Joseph P. Salanitro et al.

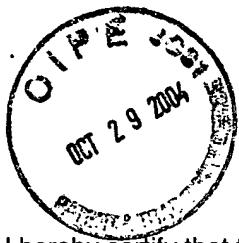
By


Their Attorney, Y. Grace Tsang

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Sir:

AMENDMENT

The Applicant hereby requests that the application be amended as follows:

In the Specification:

Please amend the specification by inserting before the first line:

This is a continuation of Application Serial No. 10/303,632, filed November 25, 2002, the entire disclosure of which is hereby incorporated by reference.

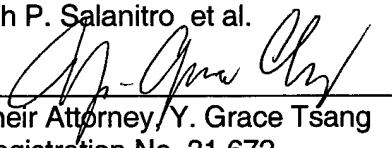
REMARKS

The amendment of the specification to include a reference to the prior US application in the utility patent application transmittal form was mistakenly not made according to the new amendment practice. The Applicant requests that the application be amended as described on the previous page and that the attached petition under Rule 1.78(a)(3) be accepted.

The Applicant hereby requests that the fee/surcharge for making the petition to include the cross reference to the prior application be charged to Shell Oil Company Deposit Account No. 19-1800.

Respectfully submitted,

Joseph P. Salanitro, et al.

By 

Their Attorney, Y. Grace Tsang

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